

Board of Commissioners

July 5th, 2011 --8:30 a.m.

Meeting called to order by President Gogel. Parties present are as follows: Gogel, Logsdon, Toler, Board Attorney Lindsey, Auditor Lynam, Hwy Superintendent Painter and Engineer Lloyd.

Minutes

June 21st, 2011 minutes; Logsdon made a motion to approve. Toler seconded. All were in favor.

Claims

Toler made a motion to approve the Claims Docket Report. Logsdon seconded. All were in favor.

Workmen's Compensation

Logsdon asked permission to contact Ron Pund concerning a clarification on prison inmate liability while inmate performs county miscellaneous work. Logsdon stated he would get this in writing for documentation for future reference. Gogel stated that in Henderson County, Kentucky their prison inmates maintain a large vegetable garden.

Highway Report

Highway Superintendent Painter discussed with the commissioners the county highway wages for 2012 budget. Painter stated he has changed some employee classifications. Logsdon asked Painter if the county needed any new equipment. Painter stated we might look at one new tractor. Gogel stated that if equipment needs replaced this year would be a good time to make a purchase. Painter will look into county highway equipment needs and report back. Chip and seal maintenance is all pretty well, caught up. Perry County highway department contacted Painter asking if we needed millings off a job they will be doing and stated they would truck it to us. Painter will get back with highway department in Perry County to correlate this work.

Community Wide Grant

Scott Meadors discussed with the commissioners the bid specs for the communication towers. Meadors will be the project manager on this project. Plans were made to place the request for bids in the newspaper 7/11/2011, and 7/18/2011. Bids specs can be picked up at the Auditors office on 7/12/2011. Opening of bids will be 8/2/2011 at 9 a.m. CST. Award will be given at the next commissioners meeting. (8/16/2011) If anyone has questions they are to contact Scott Meadors at 812 499-1475. Painter will do any backhoe work needed for this project. Commissioners are concurrently having the electrical wiring ran for the animal shelter and the communication towers at the same time to save money on both projects. Bid specs were discussed in detail. Before Bid specs notice is advertised in the newspaper Meadors will submit to County Attorney Jeff Lindsey for approval and will electronically email to all fire department chiefs.

Engineer Report

CR 450W – from 300N to 500N

On this project the Engineer estimate is \$238,405. The county attorney Jeff Lindsey opened all bids. The first bidder, J.H. Rudolph bid on above road work \$208,731.25. Second bid E & B Paving in the amount of \$209,500. Third bid opened was from Gohmann Asphalt, Inc. Bid amount \$237,423.10. Last bid opened was from Metzger Construction in the amount of \$229,342.50. Toler made a motion to have engineer to take the bids read under advisement. Logsdon seconded. All were in favor.

CR 450W/975N/475W/1060N

Engineer estimate is \$212,600. The county attorney Jeff Lindsey opened all bids. First bid opened was from Metzger Construction bid amount \$203,685, second bid opened was from J. H. Rudolph bid amount \$196,927.50, Third bid opened was from E & B Paving bid amount \$193,400. Chad with J.H Rudolph made a statement to the commissioners concerning a new law "Buy Local Provision" (effective July 1, 2011) HB 1004. Chad stated there is a 1% credit and gave a copy of documentation for review. There was discussion. Last bid opened was from Gohmann Asphalt bid amount \$193,510. Toler made a motion to have engineer to take the bids read under advisement. Logsdon seconded. All were in favor. Logsdon further discussed with J.H. Rudolph HB 1004. Engineer Lloyd stated that all paperwork was in order and she recommended to the commissioners J. H. Rudolph's bid of \$208,731.25 for CR 450W – from 300N to 500N. Toler made a motion to approve J.H. Rudolph's bid of \$208,731.25 for CR 450W – from 300N to 500N. Logsdon seconded. All were in favor. Toler made a motion to table the bids for CR 450W/975N/475W/1060N until further information could be considered due to HB 1004.

Logsdon seconded. All were in favor. Logsdon gave contact numbers to Lloyd and Lindsey for their research into this matter.

Huffman Mill

Lloyd attended the Perry County Commissioners meeting concerning the Huffman Mill project. The Perry County commissioners were not keen on giving more money on this project at this point. Their was discussion at this meeting with the Perry County commissioners the concept of both Spencer and Perry county using the money already appropriated to make needed repairs to the bridge. This was agreeable. There was more discussion.

9-1-1 Surcharge

Jim McDurmon came before the commissioners to give them information concerning new law with the 9-1-1 Surcharge. IC 36-8-16-6 specifies that the fee must not exceed 3% of the average monthly telephone access line charge if the county has a consolidated city or has at least one second class city. If the county does not have a consolidated city or a second class city the fee must not exceed 10% of the average monthly telephone access line charge. If Spencer County has a consolidated city or at least one second class city the maximum fee is 3%. At 3% the maximum surcharge based on an average line rate of \$21.84 (Based on the data received by AT&T Global Service Midwest, Craig Bennett) could be \$0.66. If Spencer County does not have a consolidated city or at least one second class city the maximum fee is 10%. At 10% the maximum surcharge based on an average line rate of \$21.84 could be \$2.16. Currently, line rate is \$1.75 per household. Attorney Lindsey will review and report back on details.

Legal Report

New Legislation on firearms and ammunition alerted Attorney Lindsey to research Spencer County ordinances. Lindsey asked the commissioners to consider reviewing Ordinance 2011-08 of which he prepared. (Ordinance #2011-08 - Spencer County Board of Commissioners ordinance amending ordinance #2002-03) Spencer County Commissioners Ordinance #2002-03 shall be and is hereby amended in Section II. Restrictions to read as follows: Except as provided in Section III of this Ordinance, a person shall not possess on or about his or her person a weapon within the building or structures at the Spencer county Courthouse, Highway Department and Office Complex, Law Enforcement Center, Prosecutors Office, Child Support Enforcement Office and Ambulance Station. Logsdon made a motion to approve Ordinance 2011-08. Logsdon made a motion to suspend the rules. Toler seconded. All were in favor. Logsdon made a motion to adopt Ordinance #2011-08. Toler seconded. All were in favor. Auditor Lynam will make a copy of the Draft 6/16/2010, Employee handbook for Attorney Lindsey. Lindsey will preview for any necessary changes. Lloyd stated that in 2010 the department heads had concerns with the Draft. At that time it was tabled. Logsdon stated he thought a conference call between Kent Irwin, (Waggoner, Irwin, Scheele and Associates, Inc. at 118 South Franklin Street Muncie, Indiana 47305, phone number (765) 286-5195, www.wisconsultants.com) Attorney Lindsey and Gogel would be wise.

Attorney Lindsey discussed the upcoming Common construction wage hearing and law changes and asked the commissioners how they wanted to handle ambulance building roof repair. The ambulance building will be subject to the Common construction wage law. It was discussed by commissioners and it was tabled until January 2012. As of January 1, 2012 if a project is under \$250,000 it would be exempt. Lindsey submitted quarterly legal report.

Ameresco

Ameresco sent to commissioner's their annual report for their review and execution. Logsdon made a motion to execute Ameresco annual report for the energy efficiency study conducted by Ameresco for the guaranteed energy savings contract. Toler seconded. All were in favor.

Hwy Garage

Logsdon asked the president if there was nothing else coming up under the highway report why don't we excuse our highway supervisor so he can return to work. Painter exited meeting.

Clerk

Gay Ann Harney came before the commissioners to discuss Census and re-precinct letter extension request. It was tabled until next meeting on July 19, 2011.

Liability Insurance

Chris Middleton was unable to attend so topic was tabled until July 19, 2011.

County Website

John Rudisill in voter registration is also one of the counties administrators of the Spencer County (PSCI) website. Auditor Lynam stated Rudisill might want to update the commissioners on improvements and additions he has been making to the current website. Rudisill stated he has added several links to the links tab, (Sheriff sales and employee benefits links) and several items to the front page like the calendar of events, hit counter, scrolling message, the new GIS link, and request for county input. Also, Rudisill and Lynam spoke of some other ideas they have. Logsdon brought up the comment that we do not have any IT personnel that can assist in this concern like Vanderburgh and Warrick and other counties. Gogel and Logsdon both stated they have not had anyone come to them to say we need to update our county website. Logsdon stated he would be open to come to a meeting with PSCI and others to discuss this matter. Gogel stated we would work on this. Auditor Lynam stated that the GIS is on county website. Lynam further stated you can pull assessor cards, look up property tax data, and mapping along with many other layers. Gogel stated this is free until July 19th 2011 then on that date we will be charged if we do not notify WTH to discontinue service. Auditor's office has trained and taken on another task reducing the county liability of \$500 per month so we could offer this online service to the public costing \$300 per month. Auditor thanked the newspapers for their support. July 11, 2011 - 9:30 a.m. and 1:00 p.m. will be training dates. More layers can be added if desired. Auditor stated we have already saved \$2,500 dollars this year due to the training in our office of new task to help make this online site a reality. Logsdon stated maybe August 2, 2011 have a website communication meeting. Rudisill agreed. Rex Jones, President of WTH arrived. Logsdon asked Jones if county could have an extension on the online agreement of 2 months to make arrangements for appropriations. Jones stated yes.

Prosecutor

Prosecutor presented two lease agreements for the commissioner's consideration. The first lease was considered by commissioners and was agreed to execute lease agreement with Kincaid Development, LLC for the Prosecutor's Office Criminal Division to move from 219 Main Street Rockport IN to 321 Main Street, Suite B & Suite A Rockport IN 47635. Lease amount is \$1,000 due the 1st Monday of each month and will begin September 1, 2011 and terminate on the December 31, 2014. The second lease was updated and considered by commissioners and was agreed to execute lease agreement with Kincaid Development, LLC for the Prosecutor's Office Child Support Division to extend their current lease at 321 Main Street, Suite C Rockport Indiana. This lease amount is \$1,000 due the 1st Monday of each month and will begin on August 1, 2011 and terminate on December 31, 2014. There will be a savings to the county of \$3,800 in rent and utilities. Logsdon made a motion to execute both leases for the prosecutor's offices to move from 219 Main to 321 Main Street (as stated above). Toler seconded. All were in favor. Prosecutor asked to have a sign placed by the maintenance personnel of the courthouse, on a parking space solely for the prosecutor. It was agreed. Prosecutor asked where unused filing cabinets could be stored. Commissioners stated there is storage space available in the old jail.

Community Corrections

Janice Weber came before the commissioners to ask their blessing on community corrections moving from the upstairs office of 219 Main Street Rockport Indiana to the downstairs (previously Prosecutor office) 219 Main Street Rockport Indiana and continue the current lease agreement with Key Development, LLC entered into on October 20th 2009 which will expire on December 31, 2011. Logsdon made a motion to approve Community Corrections to move from the upstairs of 219 Main Street to the downstairs offices and take over the current lease with Key Development, LLC (which has also agreed to this lease change) that the Prosecutor's office currently has upon their vacating. Toler seconded. All were in favor.

Adjourned

Toler made a motion to adjourn. Logsdon seconded. All were in favor.

Board of Commissioners meeting adjourned at 10:38 a.m.

President
Attest:

Donna J. Lynam, Auditor